



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2307578
Applicant Name: Julie LeDoux
Address of Proposal: 2857 NW 56th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into four unit lots. Proposed lot sizes are: Parcel A) 3,332 square feet, Parcel B) 1,158 square feet, Parcel C) 913 square feet; and Parcel D) 1,862 square feet. Construction of three townhouse units has been approved under a related construction permit (Project #2306220).

The following approval is required:

Short Subdivision - to create four unit lots.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 7,267-square foot site is located at the southeast corner of the intersection of Northwest 56th Street and 30th Avenue Northwest. The site is located one block north of NW Market Street. At the site location, Northwest 56th Street is improved with curb, gutter, and sidewalk; 30th Avenue

Northwest does not have curb, gutter, or sidewalk at the site location. Vehicular access to the site would be provided via an existing driveway from 30th Avenue Northwest and a driveway from the unimproved alley at the site's south edge.

The demolition of an existing structure and construction of three townhouse units have been approved under a related construction permit application (Project #2306220). An existing single-family residence fronting on NW 56th Street will remain on the site, and the townhouse units will be located behind the existing structure. The existing single-family residence has vehicular access from an existing driveway on 30th Avenue NW, and parking is available on the respective unit lot. Access to the three townhouse units will be provided from the alley with parking located within the structure.

The subject property is zoned Residential, Multifamily, Lowrise 3 (L3). The site is not located in any mapped or observed environmentally critical area (ECA).

Development in the immediate area consists of a mix of uses including single-family and multi-family residential uses and commercial uses along NW Market Street. Property to the north, west, and east of the subject site is also zoned Residential, Multifamily, Lowrise 3 (L3). Property to the south is zoned Industrial Buffer (IB).

Proposal Description

The proposal is to subdivide one parcel (the "parent lot") into four unit lots with vehicular access provided from 30th Avenue Northwest and an alley. Parking for an existing single-family residence would be located on its unit lot, and parking for the three townhouse units would be provided within the structure.

The construction of three townhouse units was reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate construction permit (Project #2306220). The subject of this analysis and decision is only the proposed subdivision of land.

Public Comments

The comment period for this proposal ended on December 3, 2003. One written comment was received during the comment period requesting protection of three existing trees located in the 30th Avenue Northwest right-of-way.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless specific criteria are met. Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. Conformance to the applicable Land Use Code provisions;

The subject property is zoned for multi-family residential use. The lots to be created by this unit subdivision might not individually meet all of the standards of SMC Chapter 23.45 for Lowrise 3 zones including setbacks, density, and structure width and depth. However, the development as a whole was reviewed for compliance with applicable

standards under the related construction permit review. The development must continue to meet applicable standards when considered as a whole.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

All of the proposed unit lots would have vehicular access to 30th Avenue NW either directly or via an alley.

As currently proposed, the private open space area for Parcel C would not be located on a public right-of-way or pedestrian easement. In order to provide adequate pedestrian access from Parcel C's open space to a public right-of-way, the applicant should provide a 44-inch wide pedestrian access easement from Parcel C's open space to either 30th Avenue Northwest or to the five-foot pedestrian easement located along the east edge of the parent lot.

All private utilities are available in this area. Seattle City Light would provide electrical service to the proposed unit lot subdivision. After reviewing the proposal, City Light requires an easement to provide electrical facilities and service to the proposed unit lots (Easement "A" – P.M. #250311-2-025).

The Seattle Fire Department has reviewed and approved the proposed unit lot subdivision design.

Provisions for address signage visible from a named street should be made for proposed Parcels C and D.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities, and Water Availability Certificate #2003-1048 was issued on November 25, 2003.

Drainage review was conducted and approved in conjunction with the related development project. An 8-inch public sanitary sewer (PSS) in Northwest 56th Street is available for sanitary discharge from all four unit lots. There is no PSS in 30th Avenue Northwest. The proposal should include easements for sidesewer connections from Parcels B, C, and D to the PSS in Northwest 56th Street.

Each proposed parcel would discharge stormwater runoff to the public storm drain (PSD) in 30th Avenue Northwest. The proposal should include easements to allow for service drain connections from the new construction on proposed Parcels C and D to the PSD in 30th Avenue Northwest.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision is consistent with minimum Land Use Code provisions. The development would have adequate access for vehicles, utilities, and fire protection and would have adequate drainage, water supply, and sanitary sewage disposal. Therefore, the public use and interests would be served by permitting the proposed unit lot subdivision of land. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas.*

This site is not located in a mapped or otherwise observed environmentally critical area as defined in SMC 25.09.240.

6. *Is designed to maximize the retention of existing trees.*

There is an 8-inch blue spruce located along the Northwest 56th Street frontage that would remain under the related construction permit (Project #2306220). No other trees greater than six inches in diameter are located on the parent lot.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

The applicant has received approval to construct three townhouse units and maintain an existing single-family residence on the parent lot. Pursuant to SMC 23.24.045(B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards.

The applicant has provided the following statement to assure that future owners have constructive notice that additional development may be limited due to nonconformities: *The unit lots shown on the face of this plat are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code.*

The conformance of the proposed development as a whole with the applicable Land Use Code Provisions was reviewed under a related construction permit application (Project #2306220). These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with SMC 23.24.045(C), additional development of the proposed unit lots may be limited. Subsequent platting actions or additions or modifications to the structure(s) shall not create or increase any nonconformity of the parent lot. Consistent with SMC 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for shared walls on property lines, and driveway and pedestrian access.

The proposed short subdivision conforms to the provisions of SMC 23.24.045 for Unit Lot Subdivisions.

SUMMARY - SHORT SUBDIVISION

This unit lot short subdivision would be provided with adequate vehicular and emergency access and with public and private utilities. Adequate provisions for water supply and sanitary sewage disposal would be provided for each lot, and service is assured subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording:

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat, and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. On the face of the plat, provide a 44-inch wide pedestrian access easement from Parcel C's open space to (1) 30th Avenue Northwest or (2) the five-foot pedestrian easement located along the east edge of the parent lot. In addition, language describing the easement shall be included in the legal description for each parcel benefited or burdened by it.
4. On the face of the plat, include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (Exhibit "A," Easement P.M. #250311-2-025) on the final documents.
5. On the face of the plat, provide sidesewer easement(s) to allow for connection of sidesewers from Parcels B, C, and D to the public sanitary sewer in Northwest 56th Street.

6. On the face of the plat, provide drain easement(s) to allow for connection of service drains from proposed Parcels C and D to the public storm drain in 30th Avenue Northwest.
7. On the face of the plat, provide easements or covenants to allow for the proper posting of address signage visible from 30th Avenue Northwest or NW 56th Street for proposed parcels without street frontage (Parcels C and D).

Signature: _____ (signature on file) Date: January 29, 2004
Leslie C. Clark, AICP
Land Use Planner

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